

REMARKS / DISCUSSION OF ISSUES

Claims 1-6 are pending in the application, where claims 1, 3 and 4 are independent.

The Office Action rejects claims 1-6 under 35 U.S.C. §103(a) over U.S. Patent No. 4,699,774 (van Reine) in view of U.S. Patent No. 5,625,256 (Tiedt). It is respectfully submitted that claims 1-6 are patentable over van Reine and Tiedt for at least the following reasons.

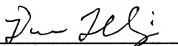
In particular, it is respectfully submitted that U.S. Patent No. 6,639,362 (Scott) and U.S. Patent No. 5,625,256 (Tiedt), alone or in combination, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 3-4 where, amongst other patentable elements, claim 1 recites (illustrative emphasis provided):

wherein the second metal M is selected from holmium and thulium.

A second metal M selected from holmium and thulium is nowhere disclosed or suggested in van Reine and Tiedt. Rather, van Reine discloses using erbium oxide and Tiedt discloses using zirconium oxide. Accordingly, it is respectfully submitted that independent claims 1 and 3-4 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2 and 5-6 should also be allowed at least based on their dependence from independent claims 1 and 4.

In view of the foregoing, applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Dicran Halajian
Reg. 39,703
Attorney for Applicant(s)
January 12, 2009

THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Phone: (631) 665-5139
Fax: (631) 665-5101